

**Remarks**

Claim 3 is pending herein.

Claims 11-13 were withdrawn from consideration by the Examiner.

Claim 3 is hereby amended.

Claim 3 stands rejected under 35 USC 103 in view of Davidson: As described by the Examiner and as Applicant has previously argued and discussed in the prosecution, Applicant's claimed invention includes a method of creating a type specific object from an XML document or the like. The method dispenses with any interim steps of parsing the XML document, creating a parse tree of the parse results, and then creating an object from the elements of the parse tree. Rather, Applicant's claimed invention includes a call associated with the XML document (e.g., particularly associated with a data of the XML document), the call serves to operate a code, and the code provides an object corresponding to the data (i.e., a type-specific object).

Thus, Applicant's claimed invention eliminates the necessity of any parse operation and any parse tree creation.

The Examiner has stated that Applicant's prior amendments to claim 3 did not prohibit the additional steps of parsing and creating a parse tree.

The present amendments merely serve to place Applicant's claim 3 in better condition for allowance, by more specifically identifying that the call initiates a code, and the code creates the type-specific object. The amendment does not change the substance of Applicant's original/prior claim 3; however, the amendment does more particularly clarify that there is not any parse or parse tree creation required to obtain the type-specific object.

The Examiner has also stated in the Final action that it would have been obvious to eliminate the parse and parse tree creation steps, by a call and code creation of an object.

Applicant disagrees that this would have been obvious. Foremost, it hasn't previously been done. There is not any teaching or suggestion in Davidson or any other prior art on which the Examiner relies that implies or indicates that it can be done. Moreover, it solves certain problems in the prior art, particularly, it eliminates any parse and parse tree creation of the prior art.

If the Examiner is not convinced that Applicant's claimed invention is non-obvious, then Applicant requests that the Examiner call Applicant's undersigned representative to discuss the matter. In any event, Applicant concurrently herewith files its notice of appeal and plans to further show and identify that the cited art and the relevant knowledge does not support the rejection.

CONCLUSION

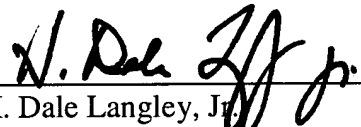
Applicant's claimed inventions are uniquely patentable. Reconsideration and withdrawal of the rejection, and allowance and issuance of the patent, is respectfully requested.

Should this response be considered inadequate or non-responsive for any reason, or should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicant's undersigned representative earnestly requests a telephone conference at (512) 477-3830.

Please charge any excess fees or credit any overpayment to Deposit Account No. 50-1350.

Respectfully submitted,

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H. Dale Langley, Jr.  
Reg. No. 35,927

The Law Firm of H. Dale Langley, Jr.  
610 West Lynn  
Austin, Texas 78703  
Phone: (512) 477-3830  
Fax: (512) 477-4080  
E-Mail: [dlanglely@iptechlaw.com](mailto:dlanglely@iptechlaw.com)